

HOUSE BILL 975
By Bowers

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 2, relative to the commission on aging and disability.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-2-105, is amended by adding the following as a new subsection:

(e)

(1)

(A) On and after July 1, 2003, notwithstanding any other provision of this title to the contrary and except as provided in subdivision (2), the commission on aging and disability, and local area agencies on aging, may not provide direct services to individuals that local community agencies are providing. Except as permitted by subdivision (2), the commission on aging and disability, and local area agencies on aging, may only provide the following services: advocacy; regional and state planning; facilitating the development of needed services to enable the elderly and disabled to remain in their homes for as long as possible; and monitoring funded contracts. For any other services, including

ombudsman services under section 71-2-109 and services under title 71, chapter 5, part 14, the commission on aging and disability, and local area agencies on aging, shall contract with appropriate community agencies for the needed services.

(B) For the purposes of this section, "direct services" includes, but is not limited to, case management, in-home care, information and referral, employment services, home delivered meals, congregate meals, respite, client intake, senior centers, adult day care, transportation, long term care and guardianship services.

(2) In locations where no local community agency is willing and able to provide needed services, then the commission on aging and disability, and local area agencies on aging, may provide the needed services as otherwise permitted by law.

SECTION 2. This act shall take effect July 1, 2003, the public welfare requiring it.